

Notice of Allowability

Application No.

10/813,395

Examiner

Ngoclan T. Mai

Applicant(s)

THORNE ET AL.

Art Unit

1742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/12/06.
2. ☒ The allowed claim(s) is/are 1,4-6 and 11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Ngoclan T. Mai
Primary Examiner
Art Unit: 1742

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Musso et al. (2003/0173720) disclose a method for forming articles having very small channels the steps of providing a fixture that defines a cavity, and providing a plurality of elongated, core members, wherein the core members are arranged in the cavity in a pattern having each of the core members spaced away from any other core member, introducing matrix forming material into the cavity, and into spaces between and surrounding the core members, maintaining the fixture under conditions in which the matrix forming material substantially fills all of the spaces between and surrounding the core members and the cavity, such that the core members are substantially fully surrounded by matrix forming material, removing the unitary body and surrounded core members from the fixture and pulling out core members from the unitary body, wherein the core members having been coated with a core release coating before the step of introducing matrix forming material. The core release coating having been selected to prevent bonding of the unitary body formed from matrix forming material to the core members, whereby a channel remains where each of the removed core members had been arranged. Musso et al. also teach it is frequently beneficial if the core release coating is not wetted by the matrix forming material, para. [0208] and [0213]. By teaching the core release coating is not wetted by the matrix forming material, the coating is not bonded with the forming material. The reference therefore does not teach or there is any suggestion or motivation to form an internal coating on the internal surface of the channels of the articles.

Dulis et al. (U.S. Patent No. 3,992,202) disclose a method where metal powder is charged in a container having therein a core, subjecting the container to hot isostatic compacting of said charge and removing the core from the compacted material. Dulis et al teach the core should be nondeformable under the hot isostatic compacting conditions so that, after compacting and removal of said core, the aperture will have the same configuration and dimension as the core. To facilitate removal of the core after compacting and cooling, Dulis et al teach the coefficient of thermal expansion of the core should be greater than that of the charge which is compacted to form the article. In this manner, upon cooling the

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core will by shrinkage separate from the compacted article. Dulis et al teach this can be done by providing a separating medium between the core and the particle charge and upon cooling, the core will shrink away from the compacted particle charge since the separating medium has prevented bonding there between, col. 2, lines 57-64 and col. 2, lines 1-30. There is no teaching of forming an internal coating on the hollow structure.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoctan T. Mai whose telephone number is (571) 272-1246. The examiner can normally be reached on 9:30-6:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ngoctan T. Mai
Primary Examiner
Art Unit 1742

n.m.